

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
DUBLIN DIVISION

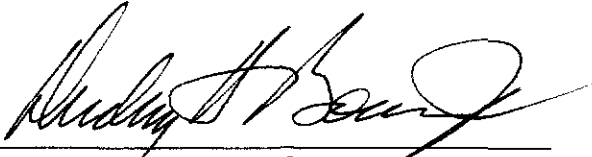
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SO. DIST. OF GA.

In his objections, Petitioner does not contest the validity of his incarceration or the existence of his judgment of conviction, a complete copy of which Respondent attached to his motion to dismiss after obtaining a limited unsealing order on February 11, 2015 that

allowed for publication of the judgment in an otherwise sealed case. (See doc. no. 11; see also doc. no. 7, Exs. A & B.) Rather, Petitioner contends that because the Clerk of Court in the Eastern District of New York previously made two unsuccessful attempts to locate his underlying criminal case, he has no reason to believe that the Clerk will be able to locate his case should he now make a third attempt to file for a sentence reduction. The Court is confident that court personnel in New York will be able to locate Petitioner's criminal case and properly file his motion, in consideration of (1) the February 11, 2015 unsealing order; and (2) the contact information for the Assistant United States Attorney in the Eastern District of New York who is the sentence reduction response coordinator to whom Petitioner can send a copy of his sentence reduction request. Thus, the Court **OVERRULES** Petitioner's objections.

Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion and **GRANTS** Respondent's motion to dismiss the petition filed pursuant to 28 U.S.C. § 2241 (doc. no. 7). Therefore, the Court **DISMISSES** and **CLOSES** this civil action.

SO ORDERED this 11<sup>th</sup> day of May, 2015, at Augusta, Georgia.

  
UNITED STATES DISTRICT JUDGE